

7. Plaintiff now seeks an extension of discovery until December 31, 2007 in order to complete discovery.

8. No prior extensions have been requested or granted.

WHEREFORE, Plaintiffs respectfully request that this Honorable Court grant this Motion for Extension of Discovery and enter an Order extending the deadline for fact discovery until December 31, 2007, and all subsequent deadlines by forty-five (45) days.

Respectfully submitted,

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By: 

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November 14, 2007

(b) Enlargement. When by these rules or by a notice given thereunder or by order of court an act is required or allowed to be done at or within a specified time, the court for cause shown may at any time in its discretion (1) with or without motion or notice order the period enlarged if request therefor is made before the expiration of the period originally prescribed

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Fed.R.Civ.P. 6(b).

Plaintiff has requested an extension of time for discovery before the expiration of the applicable period. No additional extensions have been requested or granted. In addition, Plaintiff has attempted to schedule the depositions within the discovery deadline, but Defendant's counsel was unavailable. The Court should exercise its discretion to grant this request, as it is necessary for Plaintiff to depose the necessary witnesses and prepare for trial.

III. Conclusion

For the foregoing reasons, Plaintiff respectfully requests that her motion for extension of time be granted.

Respectfully submitted,

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¹ Rule 6(b) provides that the Court may not extend the time for taking any action under Rules 50(b) and (c)(2) (addressing the time within which a party must make judgment as a matter of law), 52(b) (addressing amendment of the Court's findings of fact in a non-jury trial), 59(b) d), and (e) (setting forth the time within which a party may move for a new trial), and 60(b) (addressing the time to seek relief from a judgment). None of the foregoing rules apply to the instant motion.